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JUL 26 2021

CLERK, U.S. DISTRICT COURT
ANCHORAGE, AK

Marilyn A Hreper
in care of: 895 Ocean Drive Loop
Homer Alaska [99603]

anxiousfornothing@protonmail.com
907-399-1946

re: case# 3:21-mj-00237-MMS

For any questions please feel free
to call or text ☺

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

RECEIVED

JUL 26 2021

CLERK, U.S. DISTRICT COURT
ANCHORAGE, AK

IN THE MATTER OF THE SEARCH OF:

895 Ocean Drive Loop, Homer Alaska 99603

Case No. 3:21-mj-00237-MMS

FILED UNDER SEAL – 22 Apr 2021

Notice: Rebuttal of Affidavit in Support of Search Warrant and Verified Claim

Rebuttal of Affidavit by Declaration:

‘i’, woman, Marilyn Ann Hueper, living soul, one of the people of the several states, private Alaskan, being of sound mind and competent to testify, having a property interest in 895 Ocean Drive Loop in Homer, Alaska in this, My court-of-record declare:

firstly, on 28 April 2021 ‘i’ and My husband Paul were living at the above described address which at that time was our ‘house’;

secondly, on 28 April 2021 no other man or woman were living at the above described address;

thirdly, on 28 April 2021 two men, our house-guests, Gregory A. Nance and E. Pierce Rathbone were temporarily staying at our house;

fourthly, the attached “APPLICATION FOR A SEARCH WARRANT” (see Exhibit 1 page 1) and the “AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT” (see Exhibit 1 page 2) referenced in the above captioned matter are the sworn statements of Wendy Terry, the woman who at times acts as agent for the Federal Bureau of Investigation (FBI) stationed at the Anchorage Field Office, Joint Terrorism Task Force at 101 E Sixth Ave, Anchorage, Alaska 99501;

fifthly, the Affidavit “APPLICATION FOR A SEARCH WARRANT” and the “AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT” were signed under “penalty of perjury” of the laws of the United States [18 USC 1621, 1623];

sixthly, certain statements made in attached “APPLICATION FOR A SEARCH WARRANT” and the “AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT”, further referenced as the “Terry Affidavits”, signed under penalty of perjury, qualify as hearsay because the woman, Wendy Terry has **no personal knowledge** of events to which she testified under penalty of perjury of the laws of the United States;

seventhly, hearsay statements in the Terry Affidavits are those pertaining to the activities of a “MARILYN HUEPER” of whom ‘i’ accept no responsibility to any extent that this name is a derivate or a trust account or a corporation doing business as My given name; as they relate to the activities of ‘i’ a woman, marilyn at a peaceful protest in Washington D.C. on 06 January 2021 ‘i’ rebut as follows:

in point “39.” under *Facts Specific to This Application*, Terry states, “On February 17, 2021, MARILYN HUEPER, and PAUL HUEPER were identified by Alaska Airlines flight crew as a non-compliant passenger; PAUL and MARILYN HUEPER refused to follow mask regulations and were banned from flying with Alaska Airlines;” this statement is wholly FALSE regarding “i” or My husband Paul and is IRRELEVANT to any justification of a search warrant;

also, when acting as agents for the FBI on 28 April 2021 most agents were not wearing masks or face coverings, were “non-compliant” and not following Federal mask regulations (Executive Order);

in point “40.” under *Facts Specific to This Application*, Terry states, “Witness 1 searched the FBI’s tip line in reference to the Capitol riot and believed the woman in photograph 225 A and B resembled MARILYN HUEPER, by matching the exact description of HUEPER dressed in the same clothing and purse from PAUL HUEPER’s Instagram post,” (emphasis mine); firstly, “Witness 1” is stated to have ‘believed’ that “i”, Marilyn, ‘resembled’ the woman in photograph 225 A and B which is NOT a statement of fact, NOR an eyewitness, and NOR made under Oath, so is hearsay; secondly, ‘Witness 1’ had NO first hand knowledge of the the day or the people involved and so was NOT a witness to any facts at all; thirdly, “matching the exact description” is FALSE as there was NO description on the FBI website at all, but only three photos labeled as Photographs 225, 225 A and B; fourthly, “dressed in the same clothing and purse” is FALSE; the only observable similarity in clothing was a black coat that two women, and likely many more, were wearing that day; “...and purse” is also a false statement as there is NO ‘purse’ visible in any of the posted FBI photographs 225, or 225 A, or 225 B, so there

would be no way for so-called 'Witness 1' to observe, confirm or deny that both woman photographed were carrying the same bag;

also, the referenced "Instagram" photo posted by My husband, Paul Hueper, of 'i', in which 'i' had only one piece of clothing visible, which was a black coat, and no other clothing items could be seen or determined from the Instagram photo, not pants, nor skirt, nor shirt, nor scarf, nor jewelry, nor belt, nor shoes, NOR any other thing; but **ONLY a black coat as seen from behind**, which Terry must know or be required to know by her extensive training and experience is NOT sufficient clothing to positively identify any man or woman in which it shows that Terry's statements are false;

in point "41." under *Facts Specific to This Application*, in regards to My husband Paul's comment on Instagram, which is **not My comment and therefore not relevant to My state of mind or to My intent** for being at the 06 January 2021 rally and peaceful protest; this is clearly demonstrated in the Terry Affidavits by the woman, Wendy, to be Paul's comment;

also, **'i' did not enter the U.S. Capitol building on 06 January 2021;**

in points "42. - 45." under *Facts Specific to This Application*, Terry makes statements about photos and video footage of a woman in photograph 225 A and B, her actions inside of the Capitol, and makes brash and baseless claims that 'MARILYN HUEPER' is the woman in those photographs; all conclusive statements in "42. - 68." and Attachments (See Exhibit 1 page 18) are FALSE;

in point "46." under *Facts Specific to This Application*, Terry states "A Department of Motor Vehicle query revealed the Driver's License photograph belonging to MARILYN HUEPER." and further states, **"The FBI confirmed"** **"the woman"** in photograph's 225 A and B **"was** MARILYN HUEPER"... by comparing MARILYN HUEPER's Driver License photograph," (see Exhibit 1 page 24) is FALSE; firstly, that MARILYN HUEPER is the same as "i" is inaccurate and false; secondly, that 'The FBI confirmed the woman...', since 'The FBI' is not a living man or woman and cannot ascertain or confirm anything, and **NO man or woman is named in this 'confirming' action**; thirdly; scores of irrelevant photos were included in the many pages of this rambling affidavit, yet the only photograph in which facial details were visible for a comparative analysis was not included in the Terry Affidavit; Magistrate Scoble was unable confirm Terry's statements, which demonstrates Terry's intent to lie under Oath;

in points "47. -48." under *Facts Specific to This Application*, Terry states that My Husband, Paul owns the Instagram account; this statement is irrelevant;

in point "49." under *Facts Specific to This Application*, makes statements about PAUL HUEPER which are irrelevant;

in points "53. - 66." covering 5 pages and arguing for what type of belongings should be allowed to be searched and seized on the "SUBJECT PREMISES", and requesting a sealing of the warrant; all irrelevant to the Facts of "i" having any involvement in the events chronicled in the affidavit and subsequent warrant;

with sections 67 and 68 under the 'CONCLUSION', stating "Based upon the information above, your affiant submits that there is probable cause to believe that violations of Title 18 United States Code Section 18 U.S.C. 1752(a)(1) & (2) and 40 U.S.C. 5104 (c) (2) (D) & (G)," yet the 'information above' was based in poor research, baseless presumption, mis-representations, and false statements, making any warrant based on this information fraudulent, even before the unlawful execution that accompanied it;

further rebuttal of the various points that do not specifically relate to "MARILYN HUEPER" are as follows:

Terry Affidavit point numbers "1." through "5." are irrelevant and are the only statements in the affidavit in which Terry could have any first-hand knowledge;

in point number "6." Terry's statement that "facts in this affidavit come from my personal observations, training and experience and information obtained from other agents, witnesses, and agencies"; Terry's lack of knowledge of the meaning of the word 'fact' is no excuse, Terry seems to believe that her training and experience qualify her to fabricate evidence as she does throughout the referenced Terry Affidavits;

in point number "7." Terry states "**Based on my *training and experience*...there is probable cause** to believe that violations of title 18 USC 1512 (c)(2), 1752 (a)(1) & (2) and 40 USC 5104 (e)(2) (B)(C)(D) & (G) have been committed by MARILYN HUEPER"; sworn statements are to be based on personal knowledge or eye-witness accounts, not on training, experience, personal bias, opinion or world-view;

in point number "7." she also states, "**There is also probable cause** to search the property described ...for evidence, instrumentalities or fruits of these crimes"; this statement is false as there is no cause whatsoever to search any Thing pertaining to 'i' and My property;

in point number "8." Terry writes of an ongoing investigation of a riot in Washington D.C. on 06 January 2021; this is irrelevant to me as 'i' attended a peaceful protest in Washington D.C. on said day; 'i' have no personal knowledge of the latitude and/or longitude of the City and it is doubtful that Terry has personal knowledge of said-same;

in point number "9." Terry claims to have counted and measured the number of rooms as well as the size and shape of the U.S. Capitol building; 'i' do not believe she has such personal knowledge and 'i' believe these statements meet the definition of 'hearsay'; regardless, this statement is irrelevant;

in the Application for A Search Warrant, the Offense Description is that 'i' did "**Knowingly enter or remain and with intent to impede or disrupt** the orderly conduct of Government business or official functions. Unlawful entry at any of the Capitol Buildings with the **intent to impede, disrupt or disturb session of Congress**"; this statement is patently false in that 'i' entered no Capitol building in Washington D.C. on 06 January 2021;

the timeline of events that Terry recounts in her Affidavit points numbers "9. - 11." regarding the U.S. Capitol being barricaded and off limits to the public are not consistent with our experience between the hours of approximately 3:30 p.m. and 4:00 p.m. when we were first in the vicinity of the U.S. Capitol building; we were told the Capitol Police were letting anyone who wanted in to could go inside the Capitol building to just get in line; at this time we had to leave to make our flight home;

Affidavit point numbers "12. - 38." appear to be a timeline of events that took place inside the U.S. Capitol building on 06 January 2021, appear to be based on hearsay and have nothing to do with 'i' or My husband Paul;

eighthly. statements made in the Terry Affidavit in support of the search warrant which were made under the penalty of perjury of the laws of the United States did cause the magistrate judge, Matthew M. Scoble, to believe there was probable cause in which he found justification to sign and place the seal of THE UNITED STATES DISTRICT COURT upon "Search Warrant" (see Exhibit 1, page 39);

ninthly, the above referenced warrant was then issued and the manner in which it was executed by way of a S.W.A.T./Fusion style home invasion (see Exhibits A, B, C, D – Declarations by the aggrieved);

tenthly, the search warrant cited and exhibited above was then executed on 28 April 2021 in a manner inconsistent with due process of law in which the agents failed to protect the unalienable God-given Rights as memorialized in the “Bill of Rights” (1791) and Alaska’s Declaration of Rights specifically:

- the Right to be secure in our persons, houses, papers and effects;
- to be served with only valid warrants issued upon probable cause supported by Oath or Affirmation and signed by a judicial officer;
- to be afforded the opportunity to examine any warrant;
- to free from subjugation to cruel or unusual punishments;
- to have the assistance of counsel;
- to the peaceful enjoyment of life
- to exercise our Right to be let alone, free from all governmental interference especially unlawful arrests and false imprisonment;
- to freedom of speech, assembly, redress of grievances;

eleventhly, the above listed statements made in the Terry Affidavits were made under the penalty of perjury of the laws of the United States did, do and continue to cause a great deal of harm to ‘i’, My husband Paul J. Hueper and our house-guests Gregory A. Nance and E. Pierce Rathbone;

twelfthly, ‘i’, My husband and our house-guests victimized by the foregoing events expect to be made whole by all those involved;

thirteenthly, this Rebuttal and Verified Claim has been served upon the woman, Wendy Terry at her public address where she acts as an “FBI Agent”;

fourteenthly, the woman, Wendy Terry, has seven days from this 7th day of June in the year of our Lord twenty twenty-one to respond;

fifteenthly, should the woman, Wendy Terry not respond within seven (7) days of the date of the service of this lawful process, summary judgment shall be ascertained by her silence that Wendy Terry

is guilty of the crimes of perjury in both the Affidavit in "APPLICATION FOR A SEARCH WARRANT" and the "AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT" which she signed under penalty of perjury of the laws of the United States;

sixteenthly, the woman, Wendy Terry shall and must be held accountable for these crimes under the penalties of perjury and under the applicable law(s) governing the conduct of employees of the Federal and State agencies of the United States;

seventeenthly, upon the eighth day the Clerk of Court or Magistrate Judge shall sign and stamp the prepared Order acknowledging Summary Judgment and making it an order of the Court to impose financial sanctions (see Notice: Summary Judgment and Order To Pay – Enclosed);

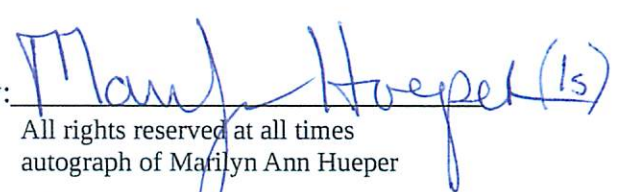
'i' say here and shall verify in open court that all herein be true to the best of my knowledge and understanding; 'i' reserve all of my rights at all times, especially my right to amend if additional knowledge or better understanding should so dictate;

autographed on this 7th day of the June month in the year of our Lord twenty-twenty-one and of the Independence of the United States the two hundred forty-fifth.

witness 1

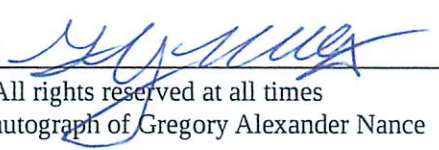

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autograph of Paul James Hueper

By:

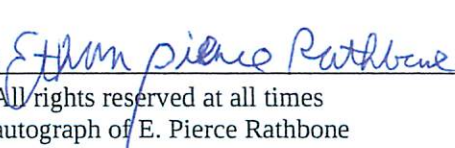

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autograph of Marilyn Ann Hueper

by special appearance

witness 2


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autograph of Gregory Alexander Nance

witness 3


All rights reserved at all times
autograph of E. Pierce Rathbone

'i' certify that copies have been mailed
to all interested parties on 7th of
June 2021; initials MH.

have and correct
color copy